

Objection to the Specification

The specification was objected to because the title of the invention was not descriptive. The specification has been amended to overcome this objection. Specifically, the proposed amended title is "FIBER-BASED FLAT AND CURVED PANEL DISPLAYS".

Objection to the Claims

Claim 12 was objected to because it failed to provide a transitional phrase separating the preamble from the claimed limitations. Claim 12 has been amended to overcome this objection. Reconsideration and withdrawal of the objection to claim 12 is respectfully requested.

Rejections under 35 U.S.C. §112

Claims 2-4 and 6 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2-4 and 6 have been amended to overcome this rejection. Specifically, the "array of fibers" in claims 2-4 now refer to the same array of fibers in claim 1. Similarly, the "two glass plates" in claim 6 now refer to the same two glass plates in claim 1.

Applicant believes that these amendments have fully addressed the Examiner's rejections, and the claims are now in condition for allowance. Reconsideration and withdrawal of the rejection are respectfully requested.

Double Patenting Rejection

Claims 1-3, 5-7, 10-11 and 13-14 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 6,247,987. Although the conflicting claims are not identical, the Examiner stated that they are not patentably distinct from each other. Applicant respectfully disagrees.

"The term 'distinct' means that two or more subjects as disclosed are related, for example, as combination and part (subcombination) thereof,... **process and product made**, etc., but are capable of separate manufacture, use, or sale as claimed, and are patentable (novel and nonobvious) over each other." (M.P.E.P. 802.01)

Claims 1-3, 5-7, and 10-11 of the present application all teach a flat panel display. In contrast, the claims from U.S. Patent No. 6,247,987 cited by the Examiner all teach a process for manufacturing a panel of a fiber-based display. The claims are patentably distinct because the patent claims teach a process and the present application teaches a product. Therefore, the Applicant respectfully requests that the Examiner withdraw the double patenting rejection.

Claims 1 and 12 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 6,354,899. Although the conflicting claims are not identical, the Examiner stated that they are not patentably distinct from each other. Applicant respectfully disagrees.

The present application is a divisional application of U.S. Patent No. 6,354,899. The Applicant correctly claimed priority of the parent application on page 1, lines 2-6 of the present application. In issuing a restriction requirement, the Examiner acknowledged that these claims are independent and distinct from the process claims which eventually issued in U.S. Patent No. 6,354,899. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

Claims 4, 8 and 9 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 1 should now be allowable.


Claims 4, 8 and 9, being dependent upon and further limiting independent claim 1, should also be allowable for that reason, as well as for the additional recitations they contain. Applicants respectfully request reconsideration of the objection of claims 4, 8 and 9, in view of the above amendments and remarks.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:
Chad B. Moore

By: 
Meghan Van Leeuwen, Reg. No. 45,612
Agent for Applicant

BROWN & MICHAELS, P.C.
400 M&T Bank Building - 118 N. Tioga St.
Ithaca, NY 14850
(607) 256-2000 • (607) 256-3628 (fax)
e-mail: vanleeuwen@bpmlegal.com
Dated: August 7, 2002

APPENDIX OF AMENDED SPECIFICATION

Page 1, line 1:

**FIBER-BASED FLAT AND CURVED PANEL DISPLAYS[FRIT-SEALING PROCESS
IN MAKING DISPLAYS]**

Page 1, lines 2-6:

REFERENCE TO RELATED APPLICATIONS

This is a divisional patent application of copending application serial number 09/299,371, filed April 26, 1999, entitled "[]FRIT-SEALING PROCESS USED IN MAKING DISPLAYS", now U.S. Patent No. 6,354,899, issued March 12, 2002[which received a notice of allowance on June 5, 2001]. The aforementioned application is hereby incorporated herein by reference.

APPENDIX OF AMENDED CLAIMS

2. (Amended) A flat-panel display according to claim 1, wherein said display is a plasma display panel having a hermetically sealed gas filled enclosure, wherein said [containing at least one]array of fibers is contained in said hermetically gas filled enclosure to form part of a plasma cell structure.
3. (Amended) A flat-panel display according to claim 1, wherein said display is a plasma addressed liquid crystal panel, wherein said [having at least one]array of fibers [to]forms a plasma cell structure.
4. (Amended) A flat-panel display according to claim 1, wherein said display is a field emission display panel having a hermetically sealed vacuum enclosure, wherein said [containing at least one] array of fibers is contained in said hermetically sealed vacuum enclosure to form part of said structure in said display.
6. (Amended) A flat-panel display according to claim 5, wherein said hermetically sealed gas filled enclosure contains:

said two glass plates sandwiched around a top fiber array and a bottom fiber array, said top and bottom fiber arrays being substantially orthogonal and defining a structure of said display, said top fiber array disposed on a side facing towards a viewer;

said top fiber array including identical top fibers having at least two ends, each top fiber including two wire sustain electrodes located near a surface of said top fiber on a side facing away from said viewer and a thin dielectric layer separating said sustain electrodes from said surface, said surface being covered by an emissive film;

said bottom fiber array including three alternating bottom fibers, each bottom fiber having at least two ends and including a pair of barrier ribs that define a plasma channel, at least one wire address electrode located near a surface of said plasma channel, and a phosphor layer coating on said surface of said plasma channel,

wherein a luminescent color of said phosphor coating in each of said three alternating bottom fibers represents a subpixel color of said plasma display;

each subpixel being formed by a crossing of one top fiber and one corresponding bottom fiber; and

said plasma display being hermetically sealed with a glass frit where said wire electrodes are brought out through said glass frit.

12. (Amended) A flat-panel display comprising [that has]a vacuum tube attachment where a glass frit to seal a vacuum tube to said panel is forced to flow into a tube panel junction using a glass washer over said vacuum tube.